




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

March 7, 2002

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: Enforcement of EPCRA § 304/CERCLA § 103

FROM:  Ann Pontius, Director
Toxics and Pesticides Enforcement Division

TO: Regional Counsels
Division Directors for EPCRA § 304/CERCLA § 103

On January 16, 2002, we issued a memo extending the enforcement discretion discussed in a memo dated February 15, 2000, pertaining to certain CERCLA § 103 and EPCRA § 304 violations and the CERCLA § 101(10)(H) federally permitted release exemption. That enforcement discretion period has now expired. In this memo we are announcing that the enforcement discretion as discussed in the original memo of February 15, 2000, is extended until the publication of the revised guidance on federally permitted releases or until May 1, 2002. This additional time is necessary to allow us to complete the revised guidance on the "CERCLA Section 101(10)(H) Federally Permitted Release Definition for Certain Air Emissions."

If you have any further questions regarding this memo, please contact Beth Burchard at (202) 564-4177.